UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,878	12/29/2003	Seiji Tanaka	81752.0151	2800

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EXAMINER
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ART UNIT	PAPER NUMBER
2854	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 July 2005</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-6, 8, 11-15, 18, 22-24 and 26-30* is/are rejected.

7)☒ Claim(s) *3,7,9,10,16,17,19-21 and 25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1.   The indicated allowable subject matter in **claims 5, 8, 14, 22, 24, 26, 29 and 30**

are withdrawn in view of the prior art to ***Montierth et al.*** (Pub. No. US 2003/0011807),

which details are applied in the rejection below.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   **Claims 1, 2, 4-6, 8, 11, 27 and 29** are rejected under 35 U.S.C. 102(e) as being

anticipated by ***Montierth et al.*** (Pub. No. US 2003/0011807)

With respect to **claim 1, *Montierth et al.*** teach a printing apparatus (130) which

performs printing based on print data sent from a host computer (110) and in which a

user interface to be operated by a user is eliminated, comprising a connection interface

(300) which connects the printing apparatus to a peripheral device including the host

computer, connection object detection means for detecting a connection object of the

connection interface (paragraph [0021]), mode setting means for setting a print mode to

one of a normal print mode in which printing is performed based on the print data sent

from the host computer, and a demonstration print mode in which printing is performed

based on demonstration print data which is stored in advance (paragraph [0021]); and

demonstration printing means for performing demonstration printing on a print medium

with a specific operation by the user serving as a trigger (power up) therefor when the

print mode is set to the demonstration print mode, the specific operation does not

require operation of a user interface or button, and the mode setting means sets the

print mode to the normal print mode when the connection object is the host computer

and to the demonstration print mode when the connection object is not the host

computer or there is no connection object (see Figs. 1-3 and paragraphs [0013-0025]).

With respect to **claims 2 and 6,** see paragraphs [0021-0025] of *Montierth et al.*

that teach the connection object detection means detects the connection object during

power up or when the power is supplied.

With respect to **claim 4,** see paragraph [0021] of *Montierth et al.* that teach the

connection object detection means detects the connection object when the connection

object is connected.

With respect to **claim 5,** see paragraphs [0021-0025] of *Montierth et al.* that

teach the mode setting means sets the print mode to the demonstration print mode

when the connection object is an attachment exclusively used for the demonstration

printing.

With respect to **claim 8,** see paragraphs [0020-0023] of *Montierth et al.* that

teach the specific operation includes an operation of connecting the connection object.

With respect to **claim 11,** see Fig. 3 and paragraphs [0018, 0025] of *Montierth et al.* that teach the print medium is a flash memory, an EPROM or a discoid write-once Optical disk.

With respect to **claim 27,** see paragraphs [0021-0025] of *Montierth et al.* that teach when cable or interface (300) provide the power for the printer and when the power is up, the mode setting means set the print mode to the test mode or demonstration mode and continuous to perform a demonstration print operation until the cable (300) is disconnect from the printer. It is clear to one of skill in the art that the above teaching of *Montierth et al.* meet the recitation of "after setting the print mode to the demonstration print mode, the mode setting means continues to set the print mode to the demonstration print mode until the power is turned off." as recited in claim 27.

With respect to **claim 29,** see paragraphs [0021-0025] of *Montierth et al.* that teach after setting the print mode to the demonstration print mode, the mode setting means continues to set the print mode to the demonstration print mode until one demonstration printing is finished.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 12-15, 18, 22-24, 26, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Montierth et al.** (Pub. No. US 2003/0011807) in view of **Walker et al.** (US # 6,557,965)

With respect to **claims 12 and 13, Montierth et al.** teach a printing apparatus (130) which performs printing based on print data sent form a host computer (110), comprising mode setting means for setting a print mode to one of a normal print mode in which printing is performed based on the print data sent from the host computer (paragraph [0021]), and a demonstration print mode in which printing is performed based on demonstration print data which is stored in advance (paragraph [0025]), and demonstration printing means for performing demonstration printing on the print medium with a specific operation by a user serving as a trigger (power up) therefor when the print mode is set to the demonstration print mode and the specific operation does not require operation of a user interface or button (see Figs. 1-3 and paragraphs [0013-0025]).

Montierth et al. teach all the limitations as explained above, except for print medium detection means for detecting a type of a print medium loaded on the printing apparatus.

Walker et al. teach a printing apparatus (20) comprising a print medium detection means for detecting a type of a print medium loaded on the printing apparatus (see Figs. 8, 20-23 and cols. 8-11).

In view of this teaching, it would have been obvious to one of skill in the art to modify the device of **Montierth et al.** to include a print medium detection means for

detecting a type of a print medium loaded on the printing apparatus as taught by **Walker**

et al. to allow the printing mechanism can automatically adjust printing for optimal

images without requiring user intervention and without damaging the media or finished

image.

With respect to **claim 14,** see col. 11 and Fig. 8 of **Walker et al.** that teach the

print medium detection means detects the print medium when the print medium is

loaded for printing.

With respect to **claim 15,** see paragraphs [0021-0025] of **Montierth et al.** that

teach a user interface to be operated by a user is eliminated.

With respect to **claim 18,** see paragraphs [0021-0025] of **Montierth et al.** that

teach the connection object detection means detects the connection object during

power up or when the power is supplied.

With respect to **claim 22,** see Fig. 3 and paragraphs [0018, 0025] of **Montierth**

et al. that teach the print medium is a flash memory, an EPROM or a discoid write-once

Optical disk.

With respect to **claim 23,** see Figs. 1-3 and paragraphs [0013-0025] of

Montierth et al. that teach a connection interface (300) which connects the printing

apparatus (130) to a peripheral device including the host computer (110), and

connection object detection means for detecting a connection object of the connection

interface, and when the connection object is the host computer, the mode setting means

sets the print mode to the normal print mode irrespective of the loaded print medium.

With respect to **claim 24,** see paragraphs [0021-0025] of *Montierth et al.* that teach when the connection object detected by the connection object detection means is an attachment exclusively used for demonstration printing, the mode setting means sets the print mode to the demonstration print mode irrespective of the loaded print medium.

With respect to **claim 26,** see paragraphs [0020-0023] of *Montierth et al.* that teach the specific operation includes an operation of connecting the connection object.

With respect to **claim 28,** see paragraphs [0021-0025] of *Montierth et al.* that teach when cable or interface (300) provide the power for the printer and when the power is up, the mode setting means set the print mode to the test mode or demonstration mode and continuous to perform a demonstration print operation until the cable (300) is disconnect from the printer. It is clear to one of skill in the art that the above teaching of *Montierth et al.* meet the recitation of "after setting the print mode to the demonstration print mode, the mode setting means continues to set the print mode to the demonstration print mode until the power is turned off." as recited in claim 28.

With respect to **claim 30,** see paragraphs [0021-0025] of *Montierth et al.* that teach after setting the print mode to the demonstration print mode, the mode setting means continues to set the print mode to the demonstration print mode until one demonstration printing is finished.

Allowable Subject Matter

6.   **Claims 3, 7, 9, 10, 16, 17, 19-21, 25** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7.   The following is a statement of reasons for the indication of allowable subject

matter:

Claims 3, 9 and 10 have been indicated for containing allowable subject matter

because the prior art fails to teach the entire combination of a printing apparatus which

performs printing based on print data sent from a host computer including the

connection object detection means detects the connection object when the print

medium is loaded.

Claims 7 and 19 have been indicated for containing allowable subject matter

because the prior art fails to teach the entire combination of a printing apparatus which

performs printing based on print data sent from a host computer including the specific

operation includes an operation of loading the print medium.

Claims 16 and 17 have been indicated for containing allowable subject matter

because the prior art fails to teach the entire combination of a printing apparatus which

performs printing based on print data sent from a host computer including a print start

key by which the user instructs execution of printing, and the print medium detection

means detects the print medium when the print start key is depressed by the user.

Claims 20 and 21 have been indicated for containing allowable subject matter

because the prior art fails to teach the entire combination of a printing apparatus which

performs printing based on print data sent from a host computer including the

connection object detection means detects the connection object when the lid member

is closed.

Claim 25 has been indicated for containing allowable subject matter because the

prior art fails to teach the entire combination of a printing apparatus which performs

printing based on print data sent from a host computer including when the print medium

detected by the print medium detection means is a specific print medium, the mode

setting means sets the print mode to the demonstration print mode irrespective of the

connection object detected by the connection object detection means.

Response to Remarks/Arguments

8.   Applicant's arguments with respect to **claims 1-30** have been considered but are

moot in view of the new ground(s) of rejection.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Minh H. Chau whose telephone number is (571) 272-

2156. The examiner can normally be reached on M - TH 9:30AM - 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

MHC
September 14, 2005

MINH CHAU
PRIMARY EXAMINER